

13. MEN ACCUSED NOW.

Mary Russell, at whose flat the Ex-Sheriff is said to have been a frequent caller, identified in court.

WIFE BEGINS HER DEFENSE.

Sister Declares Smith's "Sweetheart" Letter Was Written to Her, and Co-respondent Says He Asked Sister to Marry Him.

All the testimony relied upon by ex-Sheriff James O'Brien to prove charges of improper behavior on the part of Abbie Ella Cook O'Brien, his wife, with Paul H. Smith, the harpist, "Jack" Roche and George Powers, was in, and Mrs. O'Brien had her opportunity to-day to present her seventeen witnesses to counteract the story.

Mary McCarrick, the former chancery maid, had testified that since 1911 Mrs. O'Brien's impromptu had been the subject of gossip among the servants, and that all of them knew about it.

Servant Heard No Gossip.
May Lawrence, Mrs. O'Brien's first witness, was one servant who had not joined in the gossip. She declared she never saw or heard of any misbehavior by Mrs. O'Brien.

Mrs. Hannah Dawson, of No. 108 West One Hundred and Twelfth street, who has been Mrs. O'Brien's dressmaker nine years, spending much time at the O'Brien house, testified that she never saw any "goings on," nor heard of them. Mrs. O'Brien herself, under the divorce laws of this State, could do no more than deny the allegations made against her. She appeared in a white waist of white silk striped with black, a blue skirt and the ivory hair set of her rich coloring and jet-black hair.

Mrs. Dawson was at Saratoga with the O'Briens in 1928 and declared that the only men callers were Mr. O'Brien and the priest. She never saw Paul Smith, Mrs. Dawson did recall that Mary McCarrick once told her that Mrs. O'Brien had a "sweetheart" named Smith.

"What did Miss McCarrick say about it?" asked Mr. Turk.
"Well, I don't like to say. It was after she left Mrs. O'Brien's employ, and she said she would do all she could to induce Mrs. O'Brien to marry him."

Mrs. M. Marston, of No. 19 West Twenty-fourth street, said she was a "professional" chaperone for the O'Brien family.

She got up as far as saying that she had known Mrs. O'Brien since 1907, when she was a baby, seventeen years ago, and had been a frequent caller, when she broke down and was led away sobbing and shaking in hysterics.

Mrs. E. Harford, of No. 213 East Eighteenth street, who was called at the O'Brien home by her sister, testified that she never saw Mrs. O'Brien conduct herself otherwise than with propriety. All the preceding witnesses had escaped without a single cross question, but Mr. Hummel stopped the teacher long enough to ask her if she had confirmed her to the nursery, and that she saw little of the rest of the house. Ellen Burke, sister of Mary Harford, nurse in the O'Brien household, said "Mrs. O'Brien was a good mother to her children." She said that she wrote to Mrs. O'Brien was out at night every Saturday night during Miss Kingle's term at the O'Brien home.

Ellie Chase Marston, an artist, living at No. 19 West Twenty-fourth street, never saw Mrs. O'Brien conduct herself improperly during their sixteen years acquaintance.

Counter-Charges Begun.
John F. Calhoun, real estate agent at No. 23 West Seventy-first street, testified that as agent for the flats at No. 213 Broadway he let an apartment to Miss Mary Russell, who had referred him to James O'Brien. He wrote to "James O'Brien, care Bell & Co. Hoffman House," and got in return a letter saying, "I have known Miss Russell and her family for a number of years and I believe she would make a good tenant."

"I told her the address, who was your tenant?" asked Mr. Hummel, and a little young woman, brunette and pretty, in a gold braided jacket, stood up in the back of the courtroom and was identified.

Mrs. Carrie E. Vibbard, a pale-faced young woman, testified that while she was a tenant at No. 213 Broadway Mr. O'Brien was Mrs. Russell's nightly visitor.

"The door came about 6.30 and went away about 8.30," she said.
"At 8.30 in the morning?"
"No, at night."

"Did you ever see him going out in the morning?" Mr. Turk asked.
"No, I was rarely at the window."

Mrs. Vibbard said she had known Mrs. O'Brien sixteen years.
"The told me Miss Russell had caused all her trouble and went to Miss Russell's flat at her request," she continued.

"Now, tell us about what led up to your being ejected from the apartment," said Mr. Hummel, briskly.
"I was not put out. The janitor asked me if I wouldn't be so kind as to leave and I left."

Everybody else laughed, but Mrs. Vibbard left the witness stand in tears.

Prof. David Binberg, violinist, of No. 20 West One Hundred and Twenty-second street, played at the O'Brien home in Saratoga a dozen times for receptions and never saw Mrs. O'Brien specially attentive to any one man.

Stephen J. Merrins, coachman in 1886-80, never saw any misconduct. He drove the children every day in the park when in town, and Mr. Hummel drew out that these drives were between 10 and 11, the hour of Smith's calls on Mrs. O'Brien, who stayed home.

Young Sanford O'Brien, the seventeen-year-old son, who sides with his father, appeared in court to-day. He is a tall, handsome lad and stood up for identification when Joe Merrins, the footman, was on the stand.

Sister Claims Smith.
Mrs. Jennie S. Pitts, of No. 237 Eighth avenue, a sister of Mrs. O'Brien, testified just before recess that Paul H. Smith was her admirer, and that the letter found under Mrs. O'Brien's pillow was to her, not to Mrs. O'Brien, she said she forwarded it to Mrs. O'Brien to read.

She was asked to be married to Mr. Smith, she said.

On cross-examination she said she married twenty years ago, but had never seen her husband for five years and did not know him to-day.

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JEROME GALS OUT TO PROVE EXCISE BLACKMAIL.

The District-Attorney Says He Will Investigate the Mayor's Charge that the Liquor Dealers Have Raised a Corruption Fund of \$3,000,000.

District-Attorney Jerome said to-day he would shortly begin John Doe proceeding in which Mayor Low's letter accusing the Liquor Dealers' Association of raising a blackmail fund of \$3,000,000 would play a prominent part.

"The Mayor's letter," Mr. Jerome said, "cannot be of itself the subject of an official investigation because it is of wide scope and contains nothing that is concrete. But I am going to take it up, in connection with another matter. I do not care to say what that matter is, but the Mayor's letter will be incidental to the investigation."

President Frits Lindinger, of the Liquor Dealers' Association, told a reporter of The Evening World to-day that he didn't know just how to regard Mayor Low's snub of the committee of the organization which waited upon him with reference to the new excise law now pending in the Legislature.

"I am more inclined to treat the whole thing as a piece of humor," said Mr. Lindinger, "than to take it seriously. Have you ever heard in all your life of the Chief Executive of a big municipality like Greater New York admitting to all intents and purposes that he knows corruption exists in a police department under his control; that he knows that the forces are blackmailing citizens and does not go ahead and try to get evidence and land the guilty ones where they belong?"

"If it is Mayor Low, sitting up and telling a liquor dealer association that he will not listen to it until they prove to him that certain 'perpetrators' have gathered a corruption fund of \$3,000,000, are untrue. I'll want to be honest with you, and I'll tell you frankly that the liquor dealers' Association never had more than \$10,000 in its treasury at any one time. Now that would be a drop in the bucket. It wouldn't do any harm to seize the money, but it would be used to 'unfix' them whenever the chance comes to them."

"I don't mean to tell you that there are not liquor dealers and saloon-keepers in Greater New York who are to-day victims of blackmail. Of course, there are. There are members of this association giving up money, but not as members. They do it individually and they take good care that it does not come to our ears. But they would go on their heads if we caught them."

"Any one who has ever lived in New York knows that blackmail goes on. The liquor men and saloon-keepers are not the only ones who have been made to pay. The dry-goods merchant had to pay the copper for the privilege of keeping his cases and boxes on the sidewalk. It even went so far that the curbstone vendor was levied on. We know all about that, but what I want to get at is Mayor Low's proof that the liquor dealers' Association, as an organized body, ever submitted to blackmail or permitted it to continue if it knew of any member who was being mulcted."

Lindinger's talk was repeated to Mayor Low by The Evening World reporter, but he declined to discuss the matter.

"What information have you, Mr. Mayor," he was asked, upon which to base the accusation contained in your communication to the liquor dealers? If such a condition exists—a condition of widespread corruption—why have you not taken steps to uncover it and punish it?"

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MEN ANGRY, BUT DEFER STRIKE.

New Haven Employees Yield to Request of Directors for Five More Days' Time in Which to Reply to Demands.

BOARD NOT CONCILIATORY.

Temporizing Attitude Puts Keener Edge on Dissatisfaction of Men Who Seek Increase of Wages and Fewer Working Hours.

(Special to The Evening World.)
NEW HAVEN, March 20.—Employees of the New York, New Haven and Hartford Railroad got an answer to their demands to-day from the Board of Directors.

In effect the board says that it did not hear of the dissatisfaction until last Saturday and has not had time as yet to properly consider the questions involved. It further says that there are other classes of employees besides the trainmen and conductors whose wages may have to be readjusted and asks for a delay until noon on March 25, when a counter-proposition will be submitted.

There were angry mutterings among the men, but after a conference the Joint Committee sent a reply to President Hall agreeing to await a further message from the board on March 25.

The road meets the claims of the men for an increase of wages, a lessening of working hours and a general reorganization of schedules that will put the men on a plane with the majority of other roads, with a proposition counter to what they ask and not conciliatory. After all that had transpired the joint grievance committee of conductors and trainmen expected different treatment; it was gathered that a new settlement of the introduction of new issues.

Immediately after hearing from the company the Joint Committee went into executive session, and while none of its members would express an opinion, it was gathered that a new settlement of the introduction of new issues.

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